

HOUSE BILL NO. HB0023

Multiple county district attorneys.

Sponsored by: Representative(s) Harvey, Hammons, Jones,
Petersen, Quarberg and Simpson and
Senator(s) Peterson

A BILL

for

1 AN ACT relating to district attorneys; authorizing the
2 majority of county commissioners from a majority of the
3 counties within a judicial district to create an office of
4 district attorney within those counties; specifying
5 appointment and election procedures for a district attorney
6 in a multi-county office of district attorney; and
7 providing for an effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 9-1-801 is amended to read:

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13 **9-1-801. Office created; mandatory and permissive**
14 **establishment.**

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1 (a) There shall be in each judicial district in which
2 any one (1) county has reached a population of sixty
3 thousand (60,000) or more the office of district attorney.
4 In each of the remaining judicial districts there shall be
5 the office of district attorney whenever a majority of the
6 county commissioners in ~~each county~~ a majority of the
7 counties within the judicial district shall resolve that
8 such an office of district attorney should be created in
9 that judicial district- subject to the following:

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11 (i) A majority of the counties within a judicial
12 district may resolve to create the office of district
13 attorney in that portion of the judicial district and
14 notify the secretary of state on or before April 15 of any
15 even numbered year;

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17 (ii) Those counties shall on or before July 1 of
18 that year enter into a joint powers agreement under which
19 the primary location of the office and any other matters
20 pertaining to the future operations of the district
21 attorney within the counties shall be specified and the
22 agreement shall be filed with the secretary of state;

23

1 (iii) Candidates for the office of district
2 attorney in those counties shall file applications for the
3 office in each county participating within the time frames
4 required by the Wyoming Election Code. The results of the
5 election shall be canvassed and the winner declared by the
6 state canvassing board based on which candidate received a
7 cumulative majority vote from the participating counties.
8 Otherwise, the election shall be governed by the Wyoming
9 Election Code as if the district attorney were to represent
10 only one (1) county.

11

12 **Section 2.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17 (END)